



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

DGR:DAS:BDM/TRP  
F. #2016R00467

*271 Cadman Plaza East  
Brooklyn, New York 11201*

March 14, 2024

Via ECF

The Honorable Margo K. Brodie  
Chief United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: In Re Forfeiture Order of Tim Leissner  
Miscellaneous Docket No. 23-1505 (MKB)

Dear Chief Judge Brodie:

The government respectfully submits this letter to provide a status report regarding the above-referenced criminal forfeiture ancillary proceeding. As the Court is aware, to date, four claimants have filed petitions in this ancillary proceeding involving 3,325,942 shares of stock in Celsius Holdings, Inc. (the "Celsius Shares"). See ECF Dkt. Nos. 3-5, 8.

With respect to claimant Kimora Lee Simmons, settlement discussions between the government and Kimora Lee Simmons have continued and, based upon the progress of those discussions, the parties respectfully request that the briefing schedule previously set by the Court for the government's motion to dismiss Kimora Lee Simmons's petition be adjourned sine die, and the parties be allowed an additional period of 60 days for continuation of their settlement discussions in an effort to resolve Kimora Lee Simmons's claims without further litigation.

With respect to claimant Ken Siazon, the parties propose the following motion schedule for the government's motion to dismiss Siazon's Petition pursuant to Fed. R. Crim. P. 32.2(c)(1)(A): (i) the government's motion shall be filed on or before May 13, 2024; (ii) Claimant's opposition shall be filed on or before June 12, 2024; and (iii) the government's reply shall be filed on or before June 26, 2024.

With respect to claimant Ng Chong Hwa, the government is advised by counsel for claimant that she will advise of claimant's position regarding a continuation for settlement negotiations when she has had an opportunity to confer with claimant.

